

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUEEX LLC,

Plaintiff,

v.

BANK OF AMERICA CORPORATION; BANK OF AMERICA, N.A.; MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED; BARCLAYS BANK PLC; BARCLAYS CAPITAL INC.; BNP PARIBAS, S.A.; BNP PARIBAS SECURITIES CORP.; CITIGROUP INC.; CITIBANK, N.A.; CITIGROUP GLOBAL MARKETS INC.; CITIGROUP GLOBAL MARKETS LIMITED; CREDIT SUISSE GROUP AG; CREDIT SUISSE SECURITIES (USA) LLC; CREDIT SUISSE INTERNATIONAL; DEUTSCHE BANK AG; DEUTSCHE BANK SECURITIES, INC.; GOLDMAN SACHS & CO.; GOLDMAN SACHS BANK USA; GOLDMAN SACHS FINANCIAL MARKETS, L.P.; GOLDMAN SACHS INTERNATIONAL; J.P. MORGAN CHASE & CO.; J.P. MORGAN CHASE BANK, N.A.; J.P. MORGAN SECURITIES LLC; J.P. MORGAN SECURITIES PLC; MORGAN STANLEY; MORGAN STANLEY BANK, N.A.; MORGAN STANLEY & CO. LLC; MORGAN STANLEY CAPITAL SERVICES LLC; MORGAN STANLEY DERIVATIVE PRODUCTS INC.; MORGAN STANLEY & CO. INTERNATIONAL PLC; MORGAN STANLEY BANK INTERNATIONAL LIMITED; THE ROYAL BANK OF SCOTLAND GROUP PLC; ROYAL BANK OF SCOTLAND PLC; RBS SECURITIES INC.; UBS AG; and UBS SECURITIES LLC;

No. 1:18-cv-05361

Defendants.

**NOTICE OF DEFENDANTS' JOINT
MOTION TO DISMISS ALL CLAIMS**

PLEASE TAKE NOTICE that upon the accompanying (i) Defendants' Memorandum in Support of Their Joint Motion to Dismiss All Claims, dated July 19, 2018, (ii) Declaration of Richard C. Pepperman II, dated July 19, 2018 and the exhibits thereto, (iii) Memorandum of Law

of BNPP, Citi, Credit Suisse, JPMorgan, RBS, and UBS in Support of Defendants' Joint Motion to Dismiss All Claims, dated July 19, 2018, and (iv) Declaration of John S. Playforth, dated July 19, 2018 and the exhibits thereto, the undersigned Defendants will move this Court, before the Honorable Judge Paul A. Engelmayer, at the United States Courthouse, Courtroom 1305, 40 Foley Square, New York, New York, on a date and time to be determined by the Court, for an Order dismissing all claims with prejudice for failure to state a claim upon which relief can be granted under Federal Rule of Civil Procedure 12(b)(6), and granting such other and further relief as the Court may deem just and proper.

Dated: New York, New York
July 19, 2018

Respectfully submitted,

s/ Lawrence E. Buterman

James E. Brandt
Christopher J. Clark
Lawrence E. Buterman
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022
Telephone: (212) 906-1200
Facsimile: (212) 751-4864
james.brandt@lw.com
chris.clark@lw.com
lawrence.buterman@lw.com

Margaret M. Zwisler
LATHAM & WATKINS LLP
555 Eleventh Street, N.W., Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201
margaret.zwisler@lw.com

*Attorneys for Defendants Barclays Bank PLC
and Barclays Capital Inc.*

s/ Adam S. Hakki

Adam S. Hakki
Richard F. Schwed
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 848-4000
Facsimile: (646) 848-4000
ahakki@shearman.com
rschwed@shearman.com

*Attorneys for Defendants Bank of America
Corporation; Bank of America, N.A.; and
Merrill Lynch, Pierce, Fenner & Smith
Incorporated*

s/ Tracy V. Schaffer

Tracy V. Schaffer
Eric P. Stephens
JONES DAY
250 Vesey Street
New York, NY 10281
Telephone: (212) 326-3939
Facsimile: (212) 755-7306
tschaffer@jonesday.com
epstephens@jonesday.com

Paula W. Render

JONES DAY
77 West Wacker
Chicago, IL 60601
Telephone: (312) 782-3939
Facsimile: (312) 782-8585
prender@jonesday.com

*Attorneys for Defendants Deutsche Bank AG
and Deutsche Bank Securities Inc.*

s/ Daniel Slifkin

Daniel Slifkin
Michael A. Paskin
Damaris Hernández
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019-7475
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
dslifkin@cravath.com
mpaskin@cravath.com
dhernandez@cravath.com

*Attorney for Defendants Morgan Stanley;
Morgan Stanley Bank, N.A.; Morgan Stanley &
Co. LLC; Morgan Stanley Capital Services
LLC; Morgan Stanley Derivative Products
Inc.; Morgan Stanley & Co. International plc;
and Morgan Stanley Bank International
Limited*

s/ Robert Y. Sperling

Robert Y. Sperling
Joseph L. Motto
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
Telephone: (312) 558-7941
Facsimile: (312) 558-5700
rsperling@winston.com
jmotto@winston.com

Elizabeth P. Papez

WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, DC 20006
Telephone: (202) 282-5000
Facsimile: (202) 282-5100
epapez@winston.com

Staci Yablon

WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 294-4703
Facsimile: (212) 294-4700
syablon@winston.com

Richard C. Pepperman II
Corey Omer
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
peppermanr@sullcrom.com
omerc@sullcrom.com

*Attorneys for Defendants Goldman Sachs &
Co. LLC; Goldman Sachs Bank USA; Goldman
Sachs Financial Markets, LP; and Goldman
Sachs International*

s/ Kenneth A. Gallo

Brad S. Karp
Julia Tarver-Mason Wood
William A. Clareman
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
bkarp@paulweiss.com
jwood@paulweiss.com
wclareman@paulweiss.com

Kenneth A. Gallo
Roberto J. Gonzalez
Ravi Romel Sharma
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
2001 K Street NW
Washington, DC 20006-1047
Telephone: (202) 223-7300
Facsimile: (202) 223-7420
kgallo@paulweiss.com
rgonzalez@paulweiss.com
rsharma@paulweiss.com

*Attorneys for Defendants Citigroup Inc.;
Citibank, N.A.; Citigroup Global Markets Inc.;
and Citigroup Global Markets Limited*

s/ Arthur J. Burke

Arthur J. Burke
James I. McClammy
Rebecca L. Martin
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017
Telephone: (212) 450-4000
Facsimile: (212) 701-5800
arthur.burke@davispolk.com
james.mcclammy@davispolk.com
rebecca.martin@davispolk.com

*Attorneys for Defendants The Royal Bank of
Scotland Group plc; Royal Bank of Scotland
plc; and RBS Securities Inc.*

s/ Robert D. Wick

Robert D. Wick
Andrew D. Lazerow
John S. Playforth
Kuntal V. Cholera
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001
Telephone: (202) 662-6000
Facsimile: (202) 662-6291
rwick@cov.com
alazerow@cov.com
jplayforth@cov.com
kcholera@cov.com

*Attorneys for JPMorgan Chase & Co.;
JPMorgan Chase Bank, N.A.; J.P. Morgan
Securities LLC; and J.P. Morgan Securities plc*

s/ Marshall H. Fishman

Marshall H. Fishman
Meghan K. Spillane
Christine V. Sama
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
Telephone: (212) 813-8851
Facsimile: (646) 558-4063
mfishman@goodwinlaw.com
csama@goodwinlaw.com

*Attorneys for Defendants BNP Paribas, S.A.
and BNP Paribas Securities Corp.*

s/ David G. Januszewski

David G. Januszewski
Herbert S. Washer
Elai Katz
Jason M. Hall
CAHILL GORDON & REINDEL LLP
80 Pine Street
New York, NY 10005
Telephone: (212) 701-3000
Facsimile: (212) 269-5420
djanuszewski@cahill.com
hwasher@cahill.com
ekatz@cahill.com
jhall@cahill.com

*Attorneys for Defendants Credit Suisse AG;
Credit Suisse Group AG; Credit Suisse
Securities (USA) LLC; and Credit Suisse
International*

s/ David C. Bohan

David C. Bohan
KATTEN MUCHIN ROSENMAN LLP
525 West Monroe Street
Chicago, IL 60661
Telephone: (312) 902-5200
Facsimile: (312) 902-1061
david.bohan@kattenlaw.com

Daniel G. Swanson (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: (213) 229-7000
Facsimile: (213) 229-7520
dswanson@gibsondunn.com

*Attorneys for Defendants UBS AG and UBS
Securities LLC*